

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

DON BRIEGER, ROBERT BECKER, ALAN BURSTIN, HARRY SCHULTZ, and PAULA MITCHELL, individually and on behalf of all others similarly situated,

Plaintiffs,

V.

TELLABS, INC., et al.,

Defendants.

Case No. 1:06-cv-01882

Judge Matthew F. Kennelly

**NOTICE OF CROSS-APPEAL TO THE UNITED STATES COURT OF APPEALS FOR
THE SEVENTH CIRCUIT FROM THE DISTRICT COURT’S MEMORANDUM
OPINION AND ORDER DENYING DEFENDANTS’ REQUEST FOR COSTS**

Notice is hereby given that all defendants in the above case hereby appeal to the United States Court of Appeals for the Seventh Circuit from the District Court's Memorandum Opinion and Order denying defendants' request for costs, entered in this action on August 27, 2009 (filed on August 26, 2009) (Doc. Nos. 279, 280, attached hereto as Exhibit 1 and 2, respectively).

Respectfully submitted,

s/ Charles C. Jackson

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August 31, 2009

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CERTIFICATE OF SERVICE

I, Charles C. Jackson, one of the attorneys for defendants, hereby certify that, on August 31, 2009, I caused to be electronically filed the foregoing **NOTICE OF CROSS-APPEAL TO THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT FROM THE DISTRICT COURT' S MEMORANDUM OPINION AND ORDER DENYING DEFENDANTS' REQUEST FOR COSTS** with the Court using the Court's Electronic Case Filing System, which will send notification of such filing to the following:

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I further certify that copies were served via e-mail on August 31, 2009, to the following non-ECF participants:

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s/ Charles C. Jackson